

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID NOEL SMITH and MAUREEN
ANNE SMITH,

Plaintiffs,

v.

JACQUELYN AUFDERHEIDE, CHRIS
ENDRESEN, JAN ANGEL, PATTY LENT,
CHRIS GEARS, RANDY CASTEEL,
JONATHAN BRAND, MALCOLM
FLEMMING, PENNY STARKY, JOHN
DOES 1-3, JANE DOES 1-3, and KITSAP
COUNTY,

Defendants.

Case No. C07-5125RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendants' Motion to Continue Trial [Dkt. #27]. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

The current trial date is May 12, 2008. Initial disclosures were due on June 7, 2007. Plaintiffs provided the defendants their initial disclosures on November 13, 2007. The initial disclosures listed eighty-one witnesses and thirty-three categories of exhibits, none of which were provided to the defendants. Despite plaintiffs' argument that these "disclosures" were provided to defendants as early as February, 2004 in two other cases between some of the same parties, the simple fact remains that initial disclosures were not filed in this case until November 13, 2007 which is only two months prior to the January 14, 2008 discovery cutoff date. It is therefore,

ORDERED that Defendants' Motion to Continue Trial [Dkt. #27] is **GRANTED**. The Court will issue a new Scheduling Order.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 21st day of December, 2007.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE